



Zoning Board of Appeals

2919 Delaware Avenue, RM 14
 Kenmore, NY 14217
 (716) 877-8800

Zoning Board of Appeals

www.tonawanda.ny.us

Regular
 ~ Agenda ~

Marguerite Greco
 Town Clerk

Wednesday, January 18, 2017

6:30 PM

Council Chambers - Municipal Building

I. CALL TO ORDER

CHAIRMAN: The January 18th, 2017, 6:30 PM Zoning Board of Appeals Meeting is called to order in the Council Chambers, Municipal Building, 2919 Delaware Avenue, Kenmore, New York.

Attendee Name	Present	Absent	Late	Arrived
Chairman John Joseph	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Member James Louis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Member Florine Luhr	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Member Brian C. Mahoney	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Member Karen Ginnane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Alternate Sean Pellow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Alternate James McGee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

II. APPROVAL OF MINUTES

A. Approve Minutes of Zoning Board Meeting held December 21st, 2016.

CHAIRMAN: The Clerk presented MINUTES of the Zoning Board of Appeals meeting held on December 21, 2016.

CHAIRMAN: Motion approve these minutes as typed and presented.

VOTING:

✓ Vote Record – APPROVE ZBA MINUTES OF DECEMBER 21 ST , 2016					
		Yes/Aye	No/Nay	Abstain	
<input type="checkbox"/> Granted	John Joseph	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	James Louis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Florine Luhr	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Denied	Brian Mahoney	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Karen Ginnane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Sean Pellow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> As Amended	James McGee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

III. HEARINGS ON APPEALS - (1)

CHAIRMAN: Decisions from tonight's hearings will be rendered after the hearings, if possible, or at the next Zoning Board of Appeals meeting to be held on February 15th, 2017 at 6:30 PM.

#1 **Applicant Name: Paul Morad Motyka**
Owner Name: Paul Morad Motyka
317 Maildiner Avenue
Town of Tonawanda, NY

Area Variance:

Proposed fence would encroach into the unobstructed vision clearance area.

Zoning Classification: A - First Residential

Section of Code: Article IV; Section 215-8:

"...Clear unobstructed view...from private driveways...and that the view shall not be obstructed by...fences...greater than (3) feet in height. This unobstructed vision clearance shall apply to the area bounded by the first (15) feet from...the intersection of public or private right-of-way in both directions and a line connecting the same."

THERE APPEARED:

Building Department Official: _____

For Petitioner/Applicant: _____

Others (In Support of): _____

Others (In Opposition to): _____

VOTING:

✓ Vote Record – CLOSE HEARING ZBA APPEAL 2017-1					
			Yes/Aye	No/Nay	Abstain
<input type="checkbox"/> Close	John Joseph		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	James Louis		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Reopen	Florine Luhr		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Brian Mahoney		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Reserve	Karen Ginnane		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sean Pellow		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	James McGee		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ZONING BOARD OF APPEALS AREA VARIANCE FINDINGS AND DECISION:

A. Will an undesirable change be produced in the character of the neighborhood? Yes
 No

B. Can the benefit sought by applicant(s) be achieved by a feasible alternative to the variance? Yes
 No

Reasons: _____

C. Is requested variance substantial? Yes
 No

D. Will the variance have an adverse impact on the physical or environmental conditions of the neighborhood? Yes
 No

Reasons: _____

- E. Is the alleged difficulty self-created? Yes
 No

Reasons: _____

- F. Does the benefit to the applicant(s) outweigh the detriment to the Neighborhood or community? Yes
 No

Reasons: _____

- G. Is this the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community? Yes
 No

Reasons: _____

Conditions (if applicable): The ZBA finds that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community, for the reasons following:

Condition No. 1: _____

Adverse impact to be minimized: _____

Condition No. 2: _____

Adverse impact to be minimized: _____

VOTING:

✓ Vote Record – ZBA APPEAL 2017-1					
		Yes/Aye	No/Nay	Abstain	
<input type="checkbox"/>	Granted	John Joseph	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	James Louis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Denied	Florine Luhr	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Brian Mahoney	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Karen Ginnane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Sean Pellow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James McGee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IV. ADJOURN TO THE NEXT ZONING BOARD OF APPEALS MEETING

CHAIRMAN: Motion to adjourn to the next Zoning board of Appeals meeting scheduled, Wednesday, February 15th, 2017, at 6:30 PM.

VOTING:

✓ Vote Record – ADJOURN TO THE NEXT ZBA MEETING FEBRUARY 15 TH , 2017				
		Yes/Aye	No/Nay	Abstain
<input type="checkbox"/> Granted	John Joseph	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	James Louis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Denied	Florine Luhr	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Brian Mahoney	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Karen Ginnane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sean Pellow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	James McGee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Meeting Adjourned at _____.